

BEFORE THE ILLINOIS COMMERCE COMMISSION

Docket No. 01-0614

**Direct Testimony of Scott J. Alexander
On Behalf of Ameritech Illinois**

Ameritech Illinois Exhibit 2.0

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DIRECT TESTIMONY OF SCOTT J. ALEXANDER
ON BEHALF OF AMERITECH ILLINOIS

I. INTRODUCTION AND PURPOSE OF TESTIMONY

Q. Please state your name and business address.

A. Scott J. Alexander, 2000 W. Ameritech Center Drive, Room 4G46, Hoffman Estates,
Illinois 60196.

Q. By whom are you employed and in what capacity?

A. I am currently employed by SBC Ameritech as Director-Wholesale Marketing in the
Long Distance Compliance organization.

Q. What are your duties and responsibilities in that capacity?

A. My responsibilities include supporting the development and implementation of products,
processes, and related policies for competitive local exchange carriers ("CLECs") in the
Ameritech region. In part, I work with managers responsible for the products and support
functions required to meet SBC Ameritech's obligations under the Telecommunications
Act of 1996, particularly with regard to the requirements to obtain approval to enter the
long distance market delineated in Section 271. In addition, I represent SBC Ameritech
with regard to wholesale marketing issues before regulatory bodies and in other external
forums.

1 **Q. How long have you served in that capacity?**

2 A. I have served in my current function for approximately two years. However, I have been
3 involved with network unbundling issues since late 1993.
4

5 **Q. What is your telecommunications experience?**

6 A. Prior to assuming my current position, I was Senior Product Manager for Ameritech, with
7 overall product management responsibility for collocation, structure leasing (e.g., Poles
8 and conduits) and Bona Fide Request ("BFR") processing in the Ameritech region. In
9 addition, I have been involved in CLEC interconnection, collocation and network
10 unbundling since late 1993. I have 17 years of experience in telecommunications with
11 Indiana Bell and Ameritech. I have held various assignments in network planning and
12 engineering, technical regulatory liaison, marketing, and process management. I have
13 served on various Ameritech network unbundling initiatives as an engineering liaison and
14 as an overall process manager for the ordering, billing, provisioning, and maintenance
15 functions supporting unbundled loops.
16

17 **Q. What is your educational background?**

18 A. I earned a B.S. in Electrical Engineering from Purdue University (1983), and I am
19 currently completing my M.B.A. degree at Northern Illinois University.
20

21 **Q. Have you ever testified before this Commission in any other proceedings?**

22 A. Yes, I filed testimony in Docket No. 96-0404 with regard to Ameritech Illinois' 271
23 checklist compliance, and I have testified in various arbitration cases in Illinois. Most

1 recently, I filed testimony in Docket No. 00-0700. I have also testified in regulatory
2 proceedings in the states of Indiana, Michigan, Ohio and Wisconsin.

3
4 **Q. What is the purpose of your direct testimony?**

5 A. In this testimony, I will discuss certain sections of Ameritech Illinois' wholesale tariff
6 and explain how the provisions of those tariff sections, as revised in the manner proposed
7 by the Company in this proceeding, comply with provisions of Section 13-801 of the
8 Illinois Public Utilities Act ("PUA"). Specifically, I will discuss Ill.C.C. No. 20, Part 19,
9 Section 15 ("Section 15") which relates to the provision of pre-existing and "ordinarily
10 combined" unbundled network elements platform ("UNE-P") and Ill.C.C. No. 20, Part
11 19, Section 20 ("Section 20") which relates to the provision of enhanced extended loops
12 ("EELs"). I will demonstrate that Ameritech Illinois' offerings of combinations of
13 unbundled network elements under Sections 15 and 20 comply with Section 13-801(d)(3)
14 of the PUA. I will also demonstrate that Ameritech Illinois' offerings meet or exceed its
15 obligations under the federal Telecommunications Act of 1996 (the "1996 Act"). I will
16 also discuss how Ameritech Illinois' offering of pre-existing and "ordinarily combined"
17 UNE-P complies with Section 13-801(d)(4), (5), and (6). I will also discuss the proposed
18 Ill.C.C. No. 20, Part 19, Section 19 ("Section 19"), entitled "Reconfiguration of Special
19 Access to UNE Combinations."

20

1 **Q. Are the tariff revisions proposed by the Company and discussed in your testimony**
2 **identical to those filed by Ameritech Illinois with the Commission?**

3 A. No. As discussed in Mr. Wardin's direct testimony, the Company filed tariffs to comply
4 with Section 13-801 on July 2, 2001, the first business day after Section 13-801 became
5 effective. At Staff's request, Ameritech Illinois withdrew and refiled those tariffs on two
6 occasions in order to extend the effective date of those tariffs. After the Company refiled
7 the tariff amendments for the second time, on September 13, 2001, under Advice No.
8 7555, the Commission entered an order suspending the effectiveness of those tariff
9 amendments and initiated this proceeding. Prior to the withdrawal and re filing of the
10 compliance tariff on September 13, 2001, Ameritech Illinois had been engaged in
11 discussions with Staff and competitive local exchange carriers ("CLECs") regarding the
12 tariff issues related to Section 13-801. On October 5, 2001, the Company circulated to
13 Staff and the other parties to this proceeding a revised version of the compliance tariff
14 amendments which reflect changes to address a number of the comments and concerns
15 expressed by Staff and the CLECs during the discussions which were held prior to the
16 initiation of this proceeding. Clean and redlined copies of the revised compliance tariff
17 amendments are contained in Exhibits 1.1 and 1.2, respectively, sponsored by Mr.
18 Wardin. In this testimony, I will be addressing and supporting Sections 15, 19, and 20 as
19 they appear in the revised compliance tariff amendments.

20

1 **Q. Do you sponsor any schedules supporting your Direct Testimony?**

2 **A.** Yes, I have attached the following schedules:

3 Schedule SJA-1 Diagram of UNE-P

4 Schedule SJA-2 Diagram of EEL

5
6 **II. SUMMARY OF FEDERAL AND STATE UNE COMBINATION**
7 **REQUIREMENTS**
8

9 **Q. What is your understanding of the legal requirements under the 1996 Act regarding**
10 **Ameritech Illinois' obligation to provide network elements?**

11 **A.** Although I am not a lawyer, my layman's understanding is that Ameritech Illinois is
12 required to provide "nondiscriminatory access to network elements on an unbundled
13 basis at any technically feasible point...in a manner that allows requesting carriers to
14 combine such elements to provide such telecommunications service" as required by
15 Section 251(c)(3) of the 1996 Act.
16

17 **Q. Do the 1996 Act or the rules of the Federal Communication Commission ("FCC")**
18 **require Ameritech Illinois to perform the work to combine network elements for**
19 **CLECs where those elements are not already currently combined?**

20 **A.** No. The first Eighth Circuit Court of Appeals decision in July of 1998 invalidated the
21 FCC rules requiring ILECs to combine UNEs not currently connected and the CLECs
22 failed to appeal that decision to the Supreme Court. The invalidation of those rules was

1 reaffirmed by the July 18, 2000 Eighth Circuit Court of Appeals decision¹, which upheld
2 the vacatur of those portions of the FCC's rules that dealt with an ILEC's combining of
3 network elements (47 C.F.R. §51.315 (c)-(f)). As I understand the court's decision,
4 ILECs have no obligation under federal law to combine network elements for CLECs and
5 any requirement that they do so would violate the plain language of the 1996 Act. An
6 appeal of the Eighth Circuit's recent decision is currently pending before the United
7 States Supreme Court.

8
9 **Q. What is your understanding of Ameritech's current federal legal obligations**
10 **regarding UNE combinations under the 1996 Act?**

11 A. Although I am not a lawyer, as I understand the legal requirements under the 1996 Act
12 and FCC's rules, Ameritech Illinois has two basic obligations regarding combinations of
13 unbundled network elements (UNEs). First, if a CLEC requests access to UNEs that are
14 currently physically connected in Ameritech Illinois' network, Ameritech Illinois may
15 not separate those combined UNEs, but must provide to the requesting CLEC that
16 existing combination (unless of course the CLEC requests that the UNEs be separated).
17 Second, if the requested unbundled network elements are not currently physically
18 connected, Ameritech Illinois must provide them in a manner that allows the requesting
19 carrier to combine the requested UNEs.

20

¹ Iowa Utils. Bd. V. FCC, 219 F.3d 744, 758-759 (8th Cir. 2000), cert. granted January 22, 2001.

1 **Q. Please summarize Ameritech Illinois' understanding of the provisions of Sections**
2 **13-801(d)(1) and (d)(2) regarding UNE combinations.**

3 A. Section 13-801(d)(1) requires Ameritech Illinois to provide UNEs in a manner that
4 allows requesting CLECs to combine those UNEs to provide a telecommunications
5 service. Section 13-801(d)(2) prohibits Ameritech Illinois from separating network
6 elements that are currently combined, except at the direction of the requesting carriers.
7 Those provisions appear to be consistent with the requirements under federal law, as I
8 have summarized them above. As I will explain later, Ameritech Illinois already
9 complies with these requirements through its currently effective tariffs.

10
11 **Q. Please summarize Ameritech Illinois' understanding of the provisions of Section 13-**
12 **801(d)(3) regarding UNE combinations.**

13 A. Section 13-801(d)(3) states that, upon request, Ameritech Illinois "shall combine any
14 sequence of UNEs that it ordinarily combines for itself, including but not limited to,
15 unbundled network elements identified in The Draft of the Proposed Ameritech Illinois
16 271 Amendment (I2A) [the "Draft I2A"] found in Schedule SJA-4 attached to Exhibit
17 3.1" filed in Docket No. 00-0700 (the "I2A combinations").² My understanding is that
18 this is a requirement for Ameritech Illinois to combine UNEs for CLECs which is beyond
19 its obligations under the 1996 Act. Section 13-801(d)(3) further provides that the
20 Commission shall resolve any dispute between Ameritech Illinois and a requesting carrier

² The Draft I2A was Schedule SJA-4 to my Rebuttal Testimony in ICC Docket No. 00-0700. The Draft I2A proposed voluntary terms and conditions for certain new UNE combinations and EELs (the "I2A Combinations"), as well as references to the FCC's criteria which apply to the conversion of existing special access arrangements

1 as to whether a combination of UNEs meets the "ordinarily combines" criteria. As I will
2 explain later, Ameritech Illinois complies with this section through its currently effective
3 "Interim Compliance Tariff" (Ill. C.C. Tariff 20, Part 19, Section 22) and the proposed
4 tariff revisions.

5
6 **Q. Please summarize Ameritech Illinois' understanding of the requirements of Section**
7 **13-801(d)(4) regarding UNE combinations.**

8 A. Section 13-801(d)(4) states that a "telecommunications carrier may use a network
9 elements platform consisting solely of combined network elements of the incumbent
10 local exchange carrier to provide end to end telecommunications service for the provision
11 of existing and new local exchange, interexchange that includes local, local toll, and
12 intraLATA toll, and exchange access telecommunications services within the LATA to
13 its end users or payphone service providers without the requesting telecommunications
14 carrier's provision or use of any other facilities or functionalities." My understanding is
15 that this requires Ameritech Illinois to provide a network elements platform (UNE-P), to
16 enable CLECs to provide end-to-end telecommunications services, including local,
17 intraLATA toll, and exchange access within the LATA. As I will explain later, and as
18 Mr. Silver discusses in his direct testimony, Ameritech Illinois' proposed tariff revisions
19 comply with this section.

20

to UNE combinations. The I2A combinations were intended to address CLECs' requests for certain new UNE combinations to serve the mass market.

1 **III. TARIFF PROVISIONS COMPLYING WITH UNE COMBINATION**
2 **REQUIREMENTS**
3

4 **Q. Please describe the Company's tariffs which comply with the statutory**
5 **requirements summarized above?**

6 A. First, Ameritech Illinois provides network elements in a manner that allows any CLEC to
7 combine such elements itself in order to provide a telecommunications service. To
8 combine unbundled network elements for themselves, CLECs may choose from a variety
9 of options, including the physical collocation options provided in ILL C.C. No. 20, Part
10 23, Section 4. The Company's proposed tariff revisions have not changed this.
11 Accordingly, the Company's existing and proposed tariffs comply with Section 13-
12 801(d)(1). Second, Ameritech Illinois' currently effective existing UNE-P tariff provides
13 that it will not separate unbundled network elements that are currently combined as such
14 combinations are made available to CLECs as an existing UNE-P (Ill. C.C. No. 20, Part
15 19, Section 15, 1st Revised Sheet No. 1). Furthermore, the Company has added language
16 to the proposed tariff with regard to pre-existing UNE-P which states as follows:

17 Once an order has been received by a telecommunications carrier, the Company
18 shall not separate unbundled network elements that are currently combined,
19 except where necessary to provide the unbundled network elements or services
20 requested or otherwise at the explicit direction of the requesting carrier.
21

22 (Ill.C.C. No. 20, Part 19, Section 15, 2nd Revised Sheet No. 7.) Accordingly, both the
23 Company's currently effective and proposed tariffs comply with Section 13-801(d)(2).
24

25 Third, the Company's proposed tariffs also contain provisions that comply with Section
26 13-801(d)(3) and (4). Specifically, as will be discussed, Sections 15 and 20 contain

1 provisions which comply with Section 13-801(d)(3), which states that Ameritech Illinois
2 shall combine UNEs for CLECs that it "ordinarily" combines for itself. Section 15 also
3 complies with Section 13-801(d)(4) by allowing a CLEC to provide a
4 telecommunications service using a UNE-P in accordance with the tariff sections for the
5 component UNEs, without the requesting carrier's provision or use of any other facilities
6 or functionality.

7
8 **Q. What is an unbundled network elements platform ("UNE-P")?**

9 A. The network elements that comprise UNE-P are the unbundled local loop and unbundled
10 local switching with shared transport ("ULS-ST"), which are contiguously interconnected
11 to provide circuit-switched voice service. These are the same network element
12 combinations that Ameritech Illinois uses to provide retail voice service to its own end
13 users. As further discussed by Mr. Welch in his direct testimony, the FCC has defined
14 the platform as follows:

15 The platform refers to combinations of loop, switching and transport unbundled
16 network elements used to provide circuit-switched voice service.³

17
18 For a simple diagram of the existing UNE-P, see my Schedule SJA-1. The ULS-ST
19 component of the UNE-P is discussed in the testimony of Mr. Silver.

20

³ Deployment of Wireline Services Offering Telecommunications Capability and Implementation of the Local Competition Provisions of the Telecommunications Act of 1996, Third Report and Order in CC Docket No. 98-147, Fourth Report and Order in CC Docket No. 96-98, 14 FCC Rcd 20912 (1999) ("Line Sharing Order"). The Line Sharing Order was released December 9, 1999.

1 **Q. Does Ameritech Illinois make the UNE-P available to CLECs under its currently**
2 **effective tariff?**

3 A. Yes. Section 15, as currently effective, contains UNE-P terms and conditions. This tariff
4 was filed with the Commission on August 23, 2000, and became effective on October 8,
5 2000. The current tariff page superceded the Provision of Existing Combinations of
6 Network Elements tariff, which was effective December 25, 1999.

7
8 **Q. Does a CLEC need to be collocated in any of Ameritech Illinois' end offices to**
9 **obtain access to the UNE-P?**

10 A. No, a CLEC does not need to be collocated in any Ameritech Illinois premises to obtain
11 the existing UNE-P.

12
13 **Q. Does the current existing UNE-P offering enable the CLEC to "migrate" or**
14 **"convert" an existing end user's working service to UNE-P?**

15 A. Yes, the current offering was based on the concept of converting an existing end user's
16 service to UNE-P as a pre-existing combination (i.e., currently combined) of network
17 elements.

18
19 **Q. Have CLECs taken advantage of the existing UNE-P offering?**

20 A. Yes, through August 2001, CLECs in Illinois were serving close to 200,000 end user
21 lines via UNE-P.

22

1 **Q. Is the Company proposing any revisions to Section 15 to comply with the**
2 **requirements of Section 13-801(d)?**

3 A. Yes. In accordance with Section 13-801(d)(3), the Company has proposed revisions to
4 Section 15 to add the offerings of "ordinarily combined" UNE-P. As I will discuss later
5 in my testimony, the proposed revisions to Section 15 language are also consistent with
6 the provisioning requirements of Sections 13-801(d)(5) and (6).

7
8 **Q. Please explain how the proposed revisions to Section 15 comply with 13-801(d)(3).**

9 A. The revised Section 15 provides that, upon request, the Company will perform work to
10 combine its UNEs so that CLECs may obtain the following twelve (12) combinations of
11 unbundled loops and unbundled local switching (ULS) ports with unbundled shared
12 transport (ULS-ST):

13 2-Wire Basic Analog Loop with Basic Line Port
14 2-Wire P.B.X. Ground Start Analog Loop with Ground Start Port
15 2-Wire Basic Analog Loop with Analog DID Port
16 2-Wire Basic Analog Loop with Centrex Basic Line Port
17 2-Wire Electronic Key Line Analog Loop with Centrex EKL Line Port
18 2-Wire 160kbps (ISDN-BRI) Digital Loop with ISDN direct line port
19 2-Wire 160kbps (ISDN-BRI) Digital Loop with Centrex ISDN Line Port
20 4-Wire Digital Loop with Digital Trunking Trunk Port
21 4-Wire Digital Loop with ISDN Prime Trunk Port
22 4-Wire Digital Loop with ULS DS1 Trunk Port
23 2-Wire Analog COPTS Coin Loop with COPTS-Coin Line Port
24 2-Wire Analog COPTS Coin Loop with Basic COPTS Line Port
25

26 As stated in the revised tariff, the combinations listed above include, but are not limited
27 to, the I2A combinations (Part 19, Section 15, 2nd Revised Sheet No. 2).

28

1 **Q. What new UNE-P combinations were listed in the Draft I2A?**

2 A. The Draft I2A listed the following new UNE-P combinations:

3 2-Wire Basic Analog Loop Combined with Basic Line Port
4 2-Wire 160 kbps (ISDN-BRI) Digital Loop Combined with ISDN Direct Port
5 4-Wire Digital Loop Combined with Digital Trunk Port.
6

7 **Q. Why did Ameritech Illinois list the other nine (9) additional combinations in the**
8 **proposed Section 15 that were not listed in the I2A?**

9 A. Those additional UNE-P combinations were listed so that additional, existing types of
10 unbundled local switching (ULS) ports, and corresponding UNE loop types, would be
11 available to CLECs as new UNE-P. With the additional specific combinations,
12 Ameritech Illinois believes the proposed Section 15 complies with Section 13-801 (d)(3).
13

14 **Q. Are the UNE-P combinations listed in Section 15 the only new combinations of**
15 **UNEs being offered under with Company's proposed tariffs?**

16 A. No. In addition to the UNE-P combinations listed in Section 15, the Company is offering
17 the enhanced extended link ("EEL") as provided in Section 20.
18

19 **Q. What is an EEL?**

20 A. An EEL is a new combination of unbundled local loops and unbundled dedicated
21 transport, with appropriate multiplexing, which allows a CLEC to "extend" its collocated
22 presence. I have attached a diagram showing a simplified EEL configuration in my
23 Schedule SJA-2. As shown in the diagram, the unbundled loop extends to an end user's
24 premises from the serving central office main distributing frame ("MDF"). As described

1 in Section 15, Ameritech Illinois will combine specific types of unbundled loops with
2 specific types of unbundled dedicated transport facilities in that office. The CLEC is not
3 required to be collocated in that serving central office. The unbundled loops are
4 combined (via multiplexing) with unbundled dedicated transport, which carries the traffic
5 from the Ameritech Illinois end office where the unbundled loop serving the CLEC's end
6 user customer terminates, to another Ameritech Illinois central office in which the CLEC
7 is collocated. The unbundled dedicated transport is then terminated to the CLEC's
8 collocation. The EELs offered in the proposed tariff enable CLECs to gain access to a
9 variety of specified loop-transport combinations.

10
11 **Q. What is the practical value of an EEL to a CLEC?**

12 A. The EEL enables a CLEC with a single collocation arrangement to serve customers in
13 any other Ameritech Illinois central office within the LATA. This enables a CLEC to
14 further build a customer base in areas where it is not collocated. Thus, a CLEC with a
15 limited collocated presence can dramatically increase the number of potential customers
16 it can serve by using the EEL to transport unbundled local loops, from distant central
17 offices within the LATA, back to its collocation arrangement.

18
19 **Q. Has the FCC required incumbent LECs to provide EELs?**

20 A. No, not unless an incumbent LEC wishes to take advantage of a narrow exception to the
21 general requirement that UNE local switching be provided. Otherwise, the FCC has
22 declined to define the EEL as a separate network element or to require an incumbent LEC

1 to perform the work necessary to combine the loops and dedicated transport (UNE
2 Remand Order at ¶¶ 478-482).⁴

3
4 **Q. Does Ameritech Illinois currently enable a CLEC to order new UNE-P and EEL**
5 **combinations pursuant to tariff?**

6 A. Yes. On September 10, 2001, Ameritech Illinois filed a petition for special permission
7 requesting the ICC to place into effect the tariff sheets designated as Ill. C.C. No. 20, Part
8 19, Section 22, Original Sheets Number 1 through 5 (the "Interim Compliance Tariff").
9 The purpose of the Interim Compliance Tariff is to ensure that the specific combinations
10 identified in the Draft I2A are available under tariff terms and conditions. The ICC
11 granted the requested permission and the Interim Compliance Tariff became effective on
12 September 18, 2001. In accordance with Section 13-801(d)(3), the Interim Compliance
13 Tariff enabled Ameritech Illinois to begin accepting and processing orders for the new
14 I2A UNE combinations, pending the ICC's review of the Company proposed
15 "permanent" compliance tariff, including the proposed revisions to Sections 15 and 20.
16 In addition, the Interim Compliance Tariff includes a modification to Ameritech Illinois'
17 unbundled local switching with shared transport ("ULS-ST") offering, which is discussed
18 in the direct testimony of Mr. Silver. The Interim Compliance Tariff also provided
19 references to the FCC's Supplemental Order Clarification, which established the criteria
20 that CLECs must follow when requesting the reconfiguration of existing special access

⁴ Third Report and Order and Fourth Further Notice of Proposed Rulemaking, Implementation of the Local Competition Provisions of the Telecommunications Act of 1996, 15 FCC Rcd 3696 (1999) ("UNE Remand Order").

1 service arrangements to combinations of UNE loops and UNE dedicated transport.⁵ The
2 Interim Compliance Tariff will expire on March 31, 2002.

3
4 **Q. Generally, what types of new UNE combinations does the Interim Compliance**
5 **Tariff provide?**

6 A. As I stated above, the Interim Compliance Tariff was intended to replicate the types of
7 UNE combinations listed in the Draft I2A. Thus, the following types of UNE-P were
8 listed in the Interim Tariff:

9 2-Wire Basic Analog Loop Combined with Basic Line Port
10 2-Wire 160 kbps (ISDN-BRI) Digital Loop Combined with ISDN Direct Port
11 4-Wire Digital Loop Combined with Digital Trunk Port.
12

13 In addition, the Interim Tariff listed the following types of EELs:

14
15 2-Wire Analog Loop to DS1 or DS3 dedicated transport facilities
16 4-Wire Analog Loop to DS1 or DS3 dedicated transport facilities
17 2-Wire Digital Loop to DS1 or DS3 dedicated transport facilities
18 4-Wire Digital Loop (DS1 Loop) to DS1 or DS3 dedicated transport facilities.
19

20 **Q. Didn't Ameritech Illinois already offer a contractual arrangement to combine UNEs**
21 **for a CLEC (i.e., to provide new UNE-P)?**

22 A. Yes, since October 17, 1999, Ameritech Illinois has offered to combine UNEs for CLECs
23 through the "Promotional UNE Platform" offering pursuant to the FCC's conditions on
24 the SBC/Ameritech merger (CC Docket No. 98-141). Under this promotional offering,
25 Ameritech Illinois would combine UNEs for a CLEC to provide residential basic service

⁵ Implementation of the Local Competition Provisions of the Telecommunications Act of 1996, CC Docket No. 96-98, Supplemental Order Clarification. 15 FCC Rcd 9587 (2000) ("Supplemental Order Clarification"). The EELs

1 and basic rate ISDN (ISDN-BRI). This offering is implemented through an amendment
2 to the CLEC's interconnection agreement.
3

4 **Q. Do Sections 15 and 20 of the proposed tariff specifically identify all of the**
5 **combinations which the Company is required to offer under Section 13-801(d)(3)?**

6 A. Yes. As indicated by the language of Sections 15 and 20, Ameritech Illinois believes the
7 12 types of UNE-P combinations identified in Section 15, together with the four types of
8 new EEL combinations identified in Section 20, constitute all combinations that could be
9 required for the purposes of Section 13-801(d)(3).
10

11 **Q. Does Section 13-801 include a definition of the term "ordinarily combines" as that**
12 **term is used in Section 13-801(d)(3)?**

13 A. No.
14

15 **Q. Please elaborate on your understanding of the term "ordinarily combines."**

16 A. Ordinary means common or typical. Webster's⁶ defines "ordinary" to be a synonym for
17 "common." Common means "occurring or appearing frequently" and "widespread,
18 general." Thus, elements that are "commonly" combined on a widespread basis could be
19 said to be "ordinarily" combined.
20

tariff also applies the FCC's definition to determine what constitutes a "significant amount of local exchange services" per the FCC's Supplemental Order Clarification (§ 22).

⁶ Webster's Ninth New Collegiate Dictionary, 1986.

1 **Q. Can you use this terminology in the context of the network elements used to provide**
2 **telecommunications services?**

3 A. Yes. For years, customers and telephone company operations have recognized two broad
4 categories of services, "POTS" and "Specials." It is reasonable to consider "POTS" (i.e.,
5 plain old telephone service) as common or ordinary, and that the elements comprising
6 POTS (i.e., loop, dial-tone, switching etc.) are ordinarily combined to provide service on
7 a widespread, mass-market basis. The components of POTS are typically combined
8 using a jumper wire on the main distributing frame (MDF) or intermediate distributing
9 frame (IDF). Further, because of the mass-market nature of POTS, its elements can be
10 ordinarily provisioned and combined without the need for special design or customization
11 work. The widespread use and demand for POTS means that the very same components
12 that provided dial-tone to customer "A" on Monday can almost always be re-used
13 (assuming the contiguous assembly of components was left intact) to provide service to
14 customer "B" on Tuesday. In addition, POTS services, by far, are the most commonly
15 requested services provisioned by Ameritech Illinois.

16
17 On the other hand, "specials" are designed services that provide a customized
18 transmission path to the end user, using various circuit enhancing electronics and/or loop
19 conditioning. Further, such services are not generally considered "mass-market"
20 products.

21

1 **Q. Please explain why Ameritech Illinois believes that the combinations specifically**
2 **identified in Sections 15 and 20 of the proposed tariff comply with the provisions of**
3 **Section 13-801(d)(3).**

4 A. First, Sections 15 and 20 include all of the combinations identified in the Draft I2A,
5 which the Illinois legislature demonstrably relied upon in writing the statute. Second, the
6 12 types of new UNE-P combinations offered in Section 15 are extensive and provide
7 CLECs with UNE-P combinations that can be used to provide a wide range of circuit
8 switched or ISDN type services that Ameritech Illinois offers its retail customers.
9 Accordingly, these offerings meet any reasonable measure of what constitutes
10 "ordinarily" combined combinations of UNEs, and fulfill the Illinois legislature's stated
11 requirements. This extensive list of combinations provides CLECs with a wide range of
12 service options and functionality to serve their residence and business customers and goes
13 well beyond the "plain old telephone services" which are ordinarily requested by
14 customers.

15
16 **Q. Does the list of UNE combinations set forth in Section 20 include UNE combinations**
17 **for the provision of exchange private line or "point-to-point" data service?**

18 A. No.
19

1 **Q. Please explain the reason Ameritech Illinois does not provide “point-to-point”**
2 **exchange private line data services as a UNE combination.**

3 A. Such combinations constitute exchange private lines and/or special access service.
4 Ameritech Illinois does not believe that such combinations are “ordinarily” combined
5 UNEs within the meaning of Section 13-801(d)(3).
6

7 As will be discussed, Section 13-801(j) expressly states that Section 13-801 should not be
8 construed to require Ameritech Illinois to substitute a “combination” of UNEs for
9 “special access services.” “Special access” and “exchange private lines” are functionally
10 identical means of providing dedicated transmission service. Accordingly, a carrier could
11 use those services interchangeably from functional, operational, and technical
12 perspectives. For purposes of Section 13-801(j), there is no basis for treating exchange
13 private lines any differently than special access based upon the difference between the
14 service name or label.
15

16 **Q. Does the Company’s proposed tariff preclude CLECs from requesting combinations**
17 **other than those specifically identified in Sections 15 and 20?**

18 A. No. Sections 15 and 20 provide that other UNE combinations that a CLEC believes to be
19 “ordinarily combined” may be requested via the bona fide request (“BFR”) process,
20 (Ill.C.C. No. 20, Part 19, Section 1). The BFR process is discussed in the direct
21 testimony of Mr. Silver.
22

1 **Q. Is it your opinion that Ameritech Illinois is making an appropriate offering with**
2 **regard to combinations of unbundled network elements under its existing UNE-P**
3 **tariff, the Interim Compliance Tariff, and the proposed tariff revisions?**

4 **A. Yes. As I have previously discussed, Section 15, in its currently effective form, provides**
5 **pre-existing UNE-P in compliance with both the FCC's rules and Section 13-801(d)(2),**
6 **that Ameritech Illinois not separate currently combined network elements. Under that**
7 **tariff, CLECs can request UNEs that are currently combined to provide service to their**
8 **end user customers. The tariff provides the same network element combinations**
9 **Ameritech Illinois is using to provide service to its end user customers.**

10
11 In addition, although Ameritech Illinois has no obligation under federal law or the 1996
12 Act to combine UNEs for CLECs, Ameritech Illinois currently offers new UNE
13 combinations through the Interim Compliance Tariff. As previously indicated, proposed
14 Sections 15 and 20 expand the scope of the offered UNE combinations beyond those
15 listed in the Interim Compliance Tariff and the Draft I2A. Thus, Ameritech Illinois offers
16 CLECs with specific loop/port (UNE-P) and loop/dedicated transport (EEL)
17 combinations that directly comply with the Illinois statute. Further, under the proposed
18 tariff, CLECs have an opportunity to make requests for combinations which are not
19 specifically identified in that tariff. These offerings are responsive to the CLECs' stated
20 desire for "products" that further enable them to serve the mass market. Ameritech
21 Illinois' proposed tariff provisions are more than adequate in this regard, and offer a wide
22 range of service options and functionality to CLECs to serve their business and
23 residential end users.

1
2 **Q. Why do you believe Ameritech Illinois' tariff proposals are more than adequate to**
3 **enable CLECs to further serve the mass market?**

4 A. AT&T generally argued in its Initial Brief in ICC Docket No. 00-0700 that CLECs need
5 UNE-P to compete for typical residential and small business customers (AT&T Brief, p.
6 7). In that same proceeding, a coalition of CLECs, including AT&T, presented testimony
7 claiming that significant inroads had been made by CLECs in Texas and New York using
8 UNE-P, and that 70% of the growth of UNE-based competition in Georgia used UNE-P,
9 with a focus on residential and small business customers. The testimony further claimed
10 that the UNE-P would bring local competition to average consumers and smaller (less
11 than high speed digital service) businesses. The proposed tariff revisions provide CLECs
12 a comprehensive range of UNE-P combinations. The proposed Section 15 enables
13 CLECs to obtain UNE-P for much more than typical residential and small business
14 customers. The proposed Section 15 enables CLECs to request the combination of a
15 wide range of existing types of compatible loop-port UNEs as UNE-P to serve their
16 customers with POTS, ISDN, DID, payphone services etc. Further, the EELs provided
17 under Section 20 will enable collocated CLECs to readily extend their offerings,
18 throughout the LATA, without the requirement for further collocation arrangements.

19
20 **IV. PROVISION OF PRE-EXISTING AND ORDINARILY COMBINED UNE-P**
21

22 **Q. Please explain the distinction between "currently combined" (or "pre-existing") and**
23 **"ordinarily combined" UNE-P, as set forth in the proposed Section 15 revisions.**

1 A. Ameritech's offer of "currently combined" UNE-P is consistent with its obligation to not
2 separate elements that are currently, physically combined unless requested by the CLEC
3 to do so. Ameritech's offer of "ordinarily combined" UNE-P specifically recognizes that
4 Section 13-801(d) purports to require Ameritech to combine such UNEs for CLECs.

5
6 **Q. Why is a distinction made between "currently combined" and "ordinarily
7 combined" UNE-P?**

8 A. When a CLEC requests "ordinarily combined" UNE-P, it is requesting a "new" UNE-P
9 combination and Ameritech must do all the work to provision the UNEs (loop, local
10 switching, shared transport) and to combine those UNEs to provide a "new" combination.
11 For example, with new UNE-P, Ameritech Illinois must perform functions such as central
12 office switch translations, dial tone activation, central office wiring, and in some
13 instances field dispatch work. Obviously, Ameritech must do more and different work to
14 provide a new combination than when the CLEC requests a pre-existing combination
15 (i.e., a migration). Accordingly, the tariff applies the non-recurring charges in a manner
16 that recovers the costs of providing new UNE-P combinations and reflects the work
17 (which is frequently significant) required for Ameritech Illinois to provide a new
18 combination versus a conversion or migration to UNE-P (Section 15, 2nd Revised Sheet
19 No. 9).

20
21 **Q. Please discuss the terms and conditions for "currently combined" UNE-P.**

22 A. This offering enables the CLEC to convert an end user's service to UNE-P whether the
23 existing service is an Ameritech Illinois retail service, a CLEC resale service, or a CLEC

1 UNE-P (Section 15, 4th Revised Sheet No.1). The CLEC specifies the features it wishes
2 to activate on the end user's line. Feature changes made at the time of the initial request,
3 as well as CLEC-requested changes to the routing of the end user's OS/DA calls are
4 handled within the scope of the conversion process.

5
6 **Q. Please explain why the proposed tariff requires that, at the time of an order for a**
7 **currently combined UNE-P, the requesting carriers' end-user is not served by a line**
8 **sharing arrangement or the technical equivalent.**

9 A. The existing UNE-P is a contiguous assembly of a local loop and switch port with shared
10 transport, which is consistent with the FCC's definition of the platform, as I discussed
11 earlier. UNE-P involving "Line Splitting" is further discussed in the direct testimony of
12 Mr. Welch.

13
14 **Q. Section 13-801(d)(4) indicates that a CLEC should be able to use the UNE-P for the**
15 **provision of service to end users or payphone service providers on a LATA-wide**
16 **basis. Do the Company's proposed tariff amendments permit such use of this UNE-**
17 **P?**

18 A. Yes. Part 19, Section 21 contains terms and conditions related to the provision of
19 unbundled local switching with shared transport (the ULS-ST component of the UNE-P)
20 and has been revised to make it clear that the Company will include with ULS-ST the
21 capability for the transmission of intraLATA toll calls originating from the purchasing
22 carrier's retail end-user customers who are being provided local exchange service using

1 ULS-ST. The terms and conditions of ULS-ST, including the use of ULS-ST for
2 intraLATA toll, are discussed more fully by Mr. Silver in his direct testimony.

3
4 **Q. Has the Company revised the terms and conditions for the ordering and**
5 **provisioning of a pre-existing UNE-P to take into account the other requirements of**
6 **Section 13-801?**

7 **A.** Yes. These revisions are included on the 2nd Revised Sheet No. 7 of Section 15, as
8 follows:

- 9 1. Consistent with the second sentence of Section 13-801(d)(5), the
10 Company has added language stating that the "service installation for each
11 specific Pre-Existing and Ordinarily Combined UNE-P combination will
12 be provided at parity with the comparable Company's retail service."
13 2. In accordance with the last paragraph of Section 13-801(d)(6), the
14 Company has included language which states as follows:

15 Unless the telecommunications carrier directs the Company
16 otherwise (for example the telecommunications carrier submits an
17 order with a due date beyond three days after the date of
18 submission) or a contrary agreement, entered into after June 30,
19 2001, between the Company and the telecommunications carrier
20 that provides otherwise, as of 12:01 a.m. on the third business day
21 after placing an order for a Pre-Existing UNE-P, the requesting
22 telecommunications carrier shall be the presubscribed primary
23 local exchange carrier for that end user line and shall be entitled to
24 receive, or to direct the disposition of, all revenues for all local
25 exchange and access services that utilize the unbundled network
26 elements in that Pre-Existing UNE-P, unless it is established that
27 the end user of the existing local exchange service did not
28 authorize the requesting telecommunications carrier to make the
29 request.
30

3. In accordance with the first sentence of Section 13-801(d)(6), the Company has included the following language:

When a telecommunications carrier places an order for a Pre-Existing UNE-P that does not require field work outside of the central office, for an end user that has existing local exchange telecommunications service provided by the Company, unless otherwise agreed by the Company and the requesting telecommunications carrier, the Company shall provide the requesting telecommunications carrier with the ordered Pre-Existing UNE-P within 3 business days for at least 95% of the orders for each requesting telecommunications carrier for each month.

Q. In addition to the requirements to which you refer in your answer above, Section 13-801(d)(6) states that "the incumbent local exchange carrier shall provide the requested network elements platform without any disruption to the end user's services." Has the Company proposed tariff language which addresses this requirement?

A. Yes. The revised Section 15, on 2nd Revised Sheet No. 7, includes the following:

When a telecommunications carrier places an order for pre-existing network elements platform that does not require field work outside of the central office, for an end user that has existing local exchange telecommunications service provided by the Company, unless otherwise agreed by the Company and the requesting telecommunications carrier, the Company shall provide the ordered Pre-Existing UNE-P without any unnecessary disruption to the end user's services.

Q. The tariff language quoted above refers to the placement of an order for pre-existing network elements platform that does not require field work outside of the central office. What is the basis for including this reference?

A. As indicated by the first sentence of Section 13-801(d)(6), the performance criteria set forth in the first paragraph of that section are intended to apply to situations in which a

1 request is made for a pre-existing UNE-P for which field work outside the central office
2 is not needed.
3

4 **Q. Can you give examples of situations in which field work outside the central office**
5 **would be required to provide a pre-existing UNE-P?**

6 A. Generally, field work should not be required to provision existing UNE-P. However,
7 given the extensive scope of the combinations offered, and the wide range of potential
8 service options that a CLEC may choose from, there may be situations where the CLEC
9 requests loop or switch port functionality that requires Ameritech Illinois to perform field
10 work outside the C.O. One such example could be the "optioning" of plug-in equipment
11 to meet specified parameters.
12

13 **Q. Are there circumstances in which a disruption to the end-user's service may occur**
14 **even when no field work outside the central office is required?**

15 A. In the majority of cases, particularly where POTS services are involved, there should be
16 no disruption due to field work or central office work. However, on occasion, the
17 assignment and provisioning systems may reassign switch ports to maintain load
18 balancing in the central office switch. In addition, when translations are input into the
19 switch, a momentary, but usually imperceptible disruption of service can occur.
20

1 **V. EELS**
2

3 **Q. Please describe the conditions that apply to Ameritech Illinois' new EEL offering.**

4 A. As I mentioned earlier, revised Section 20 makes available new combinations of loops
5 and dedicated transport (EELs) that the CLEC will use to provide a significant amount of
6 local exchange service to a particular end user. The CLEC may request the specific loop
7 types (2-wire basic analog, 4-wire analog, and/or 2-wire ISDN-BRI), to be combined
8 with DS-1 or DS-3 unbundled dedicated transport. In addition, 4-wire DS-1 unbundled
9 loops may be combined with DS-3 unbundled dedicated transport. Ameritech Illinois
10 will make available the same multiplexing options as exist in its DS-1 and DS-3
11 unbundled dedicated transport offerings (Section 20, 2nd Revised Sheet No. 2). The EEL
12 enables a CLEC to extend its "reach" from its collocation arrangements to provide
13 service to end users in other Ameritech Illinois central offices throughout the LATA.

14
15 **Q. Is the EEL offering in the Revised Section 20 the same as provided under the Draft**
16 **I2A?**

17 A. Yes, the terms and conditions are substantially the same.
18

19 **Q. Why are these terms and conditions appropriate to include in the revised tariff?**

20 A. The PUA requires Ameritech Illinois to offer the combinations contained in the Draft
21 I2A. It is appropriate to include these related terms and conditions as they are inherent in
22 the product design of the EEL offering in the Draft I2A. Further, the condition related to

1 the EEL being used for a significant amount of local exchange service is consistent with
2 the FCC's rules.⁷
3

4 **VI. RECONFIGURATION OF SPECIAL ACCESS TO UNE COMBINATIONS**

5
6 **Q. Does Section 13-801 require Ameritech Illinois to substitute UNEs or combinations**
7 **of UNEs for special access at the request of CLECs?**

8 **A. No. Section 13-801(j) expressly provides as follows:**

9 Special access circuits. Other than as provided in subdivision (d)(4) of this
10 Section for the network elements platform described in that subdivision, nothing
11 in this amendatory Act of the 92nd General Assembly is intended to require or
12 prohibit the substitution of switched or special access services by or with a
13 combination of network elements nor address the Illinois Commerce
14 Commission's jurisdiction or authority in this area.
15

16 Thus, the General Assembly made it clear that nothing in Section 13-801 should be
17 construed as requiring the conversion of special access services to UNEs. Thus,
18 whatever obligations Ameritech Illinois has to convert existing special access services to
19 UNE combinations (i.e., pursuant to the FCC's Supplemental Order Clarification) are
20 unaffected by 13-801.
21

⁷ The Proposed Tariff for EELs uses the FCC's definition to determine what constitutes a "significant amount of local exchange services" per the FCC's Supplemental Order Clarification (§ 22).

1 **Q. What are the circumstances under which a CLEC may request reconfiguration of**
2 **special access to UNEs?**

3 A. The FCC has ruled that a CLEC may request a conversion of an existing special access
4 service to an unbundled loop and unbundled dedicated transport combination when the
5 CLEC can accurately certify that it uses that special access service arrangement to
6 provide a significant amount of local exchange service to its end-user customer pursuant
7 to the criteria set forth by the FCC in CC Docket No. 96-98, Supplemental Order
8 Clarification, FCC 00-183, released June 2, 2000.

9
10 **Q. Does Ameritech Illinois currently provide for the conversion of special access**
11 **services to UNE loop-dedicated transport combinations pursuant to the FCC**
12 **criteria?**

13 A. Yes, Ameritech Illinois processes such CLEC requests pursuant to the process which is
14 published on its CLEC website (<<https://clec.sbc.com>>). Further, as I have previously
15 discussed, the Interim Compliance Tariff, which became effective on September 18,
16 2001, contains terms and conditions which reflect the FCC's criteria.

17
18 **Q. Did Ameritech Illinois include similar terms and conditions as part of its**
19 **"permanent" Section 13-801 compliance tariff filing?**

20 A. No. As Ameritech Illinois explained in its Petition related to the Interim Compliance
21 Tariff, the Company does not believe that a tariff is a pre-requisite for the acceptance and
22 processing of a CLEC's request to convert qualifying special access services to UNE
23 loop-transport arrangements. The Company has posted instructions on its website for

1 CLECs for submitting such requests and has notified CLECs of the procedures via an
2 Accessible Letter. Terms and conditions relating to such requests were included in the
3 Interim Compliance Tariff at Staff's request to remove any ambiguity with regard to the
4 offerings available to CLECs in the interim. Staff has also suggested that the Company
5 develop a proposed "permanent" tariff for the reconfiguration of qualifying special access
6 services to UNE loop-transport combinations to become effective at the same time that
7 the Section 13-801 compliance tariffs become effective.

8
9 **Q. Has the Company developed a proposed "permanent" tariff in accordance with**
10 **Staff's suggestion?**

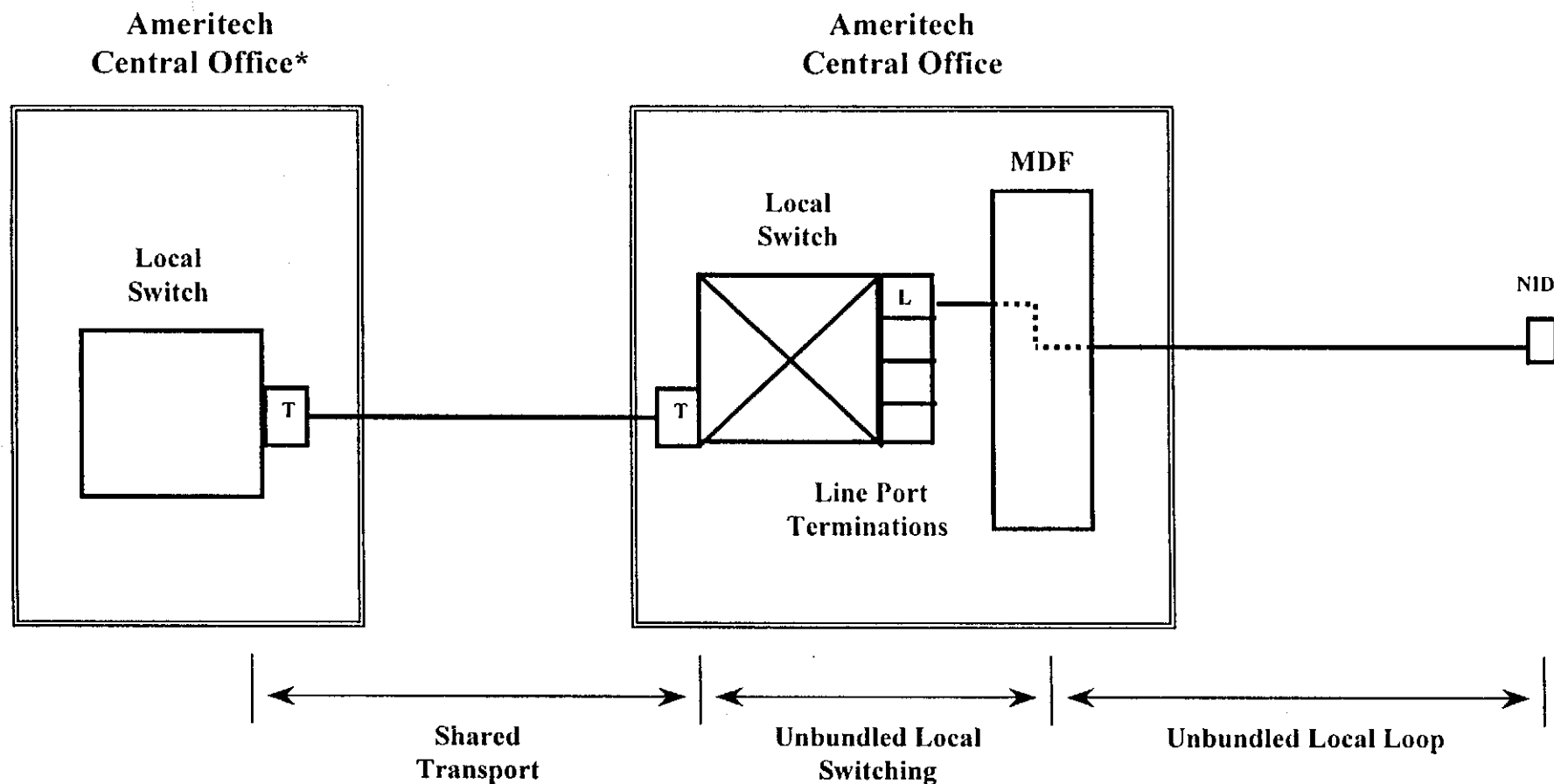
11 A. Yes. The Company has developed a proposed tariff designated as Ill.C.C. No. 20,
12 Section 19, Part 19 ("Section 19"). The proposed Section 19 was included as part of the
13 revised tariff circulated to Staff and the parties to this proceeding on October 5, 2001 and
14 to the Administrative Law Judge on October 15, 2001. Section 19 incorporates the
15 criteria required by the FCC's Supplemental Order Clarification for reconfiguring special
16 access arrangements to UNE loop-unbundled dedicated transport combinations.

17
18 **Q. Does this conclude your direct testimony?**

19 A. Yes.

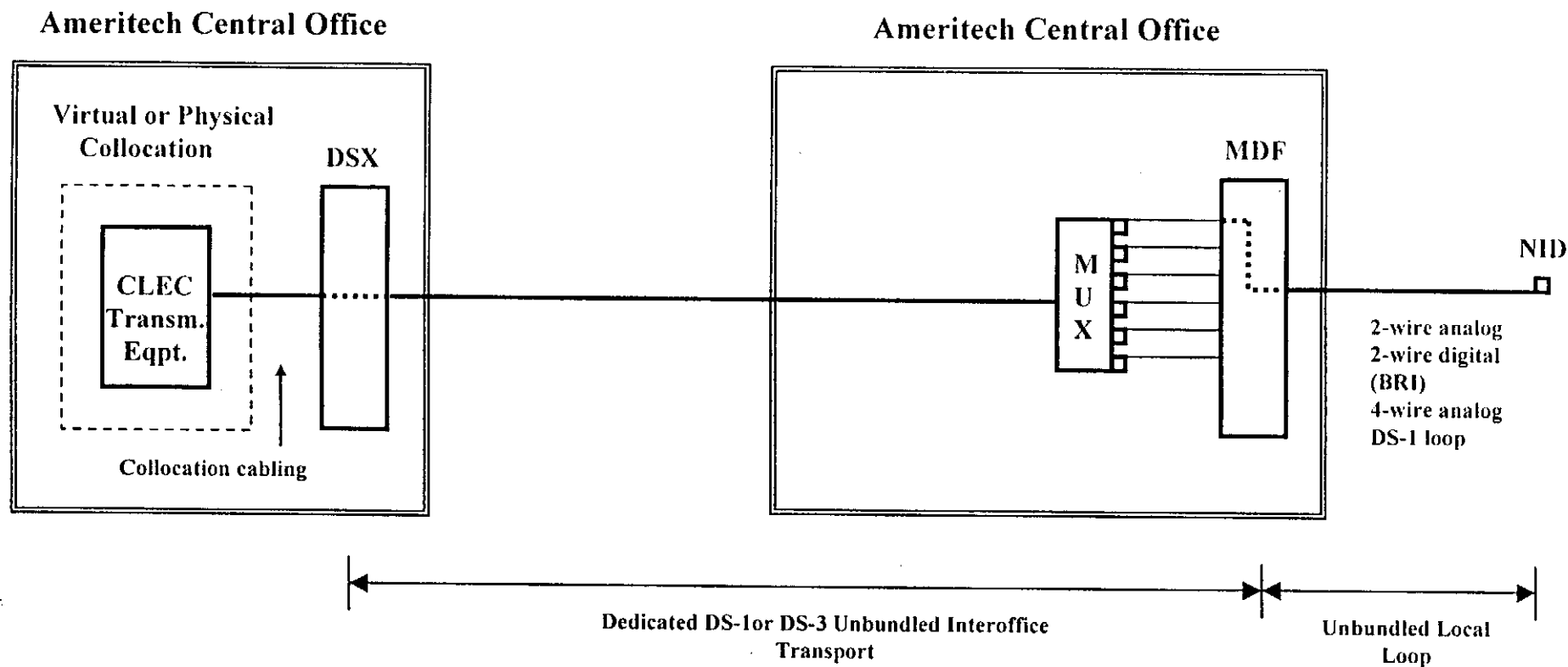
UNE-P
(simplified diagram)

ICC Docket 01-0614
Ameritech Illinois Ex.2.0 (Alexander)
Schedule SJA-1



*tandem switches not shown

Enhanced Extended Link (EEL) *(simplified diagram)*



DSX - digital services cross-connect panel
 MDF* - main distribution frame (IDF not shown)
 MUX - multiplexer
 NID - Network Interface Device